

Restriction is only proper if the claims of the restricted groups are either independent or patentably distinct. The burden of proof is on the Office to provide reasons and/or examples to support any conclusion with regard to patentable distinctness. MPEP § 803.

Applicants respectfully traverse the restriction requirement on the grounds that the Office has not provided adequate reasons and/or examples to support a conclusion of patentable distinctness between the identified groups.

The Office has characterized the inventions of Groups I and II as related as process of making and product made. Citing MPEP § 806.05(f), the Office concludes that the product as claimed can be made by a different process such as the process "disclosed in Group III." However, Applicants respectfully submit that the Office has not shown how the process "disclosed in Group III" is materially different from the claimed process. Instead, the Office has merely provided a conclusory statement, unsupported by reasons or evidence. Accordingly, Applicants respectfully submit that the requirement for restriction is improper, and request that it be withdrawn.

The Office has characterized Groups II and III as "unrelated" inventions. However, Applicants note that the MPEP describes unrelated inventions as, for example, "an article of apparel such as a shoe, and a locomotive bearing", or "a process of painting a house and a process of boring a well." MPEP § 806.04(A). Thus, unrelated inventions, as exemplified by the MPEP, are in completely different technical fields, and have no reasonable relationship with each other. Applicants make no statement regarding the patentable distinctness of the inventions of Groups II and III, but note that the inventions of Groups II and III are classified in the same class and subclass, and therefore would not reasonably meet the standard of "unrelatedness" of MPEP § 806.04(A), discussed above. Furthermore, the fact that Groups II and III are classified in the same class and subclass suggests that it would not present a

burden on the Office to search both groups. Accordingly, Applicants respectfully submit that the requirement for restriction is improper, and request that it be withdrawn.

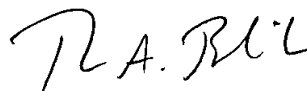
The Office has characterized the inventions of Groups IV and I as related as product and process of use. However, Applicants respectfully do not understand how the inventions of Groups IV and I could be related in this manner. Applicants submit that there is no reasonable basis for suggesting that the transparent electroconductive coatings, static shielding materials, or display devices of Group IV could be used in a method of making a homopolymer or copolymer of Group I. Likewise, the allegation that the product [sic, process] of Group IV can be "practiced with another materially different product such as electronic device, laminate" is clearly not supported by the plain language of the claims of Group I. Moreover, even if, *arguendo*, the process of Group I could be "practiced with another materially different product such as electronic device, laminate", there is no evidence of record to suggest that an "electronic device, laminate" is materially different from the product of Group IV. Accordingly, Applicants respectfully submit that the requirement for restriction is improper, and request that it be withdrawn.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the requirement for restriction. Withdrawal of the requirement for restriction is respectfully requested.

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER AND NEUSTADT, P.C.



Norman F. Oblon
Registration No. 24,618
Attorney of Record

Thomas A. Blinka, Ph.D.
Registration No. 44,541



22850

Tel.: (703) 413-3000
Fax: (703) 413-2220
NFO:TAB/bwt